

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

Claims 1-24 are pending in this application. Claims 1, 7, 13, and 19 have been amended. Support for this amendment is provided throughout the Specification as originally filed, specifically at pages 19 and 24. No new matter has been introduced by this amendment. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

The Office Action indicated an objection to the drawings. An amended drawing has been attached at the end of this amendment and labeled "Replacement Sheet." Fig. 10 is now labeled "Related Art." Applicants have made such change and therefore respectfully request that the objection to the drawings be withdrawn.

The Office Action indicated an objection to claim 19 due to an informality. Applicants have amended claim 19 and therefore respectfully request the objection to claim 19 be withdrawn.

The Office Action indicated that claims 3-6¹, 9-12, 15-18, and 21-24 were allowed.

¹ Claims 5 and 6 were indicated to be allowable in the Pending Office Action of 8/11/04 on the Office Action Summary Page and on page 7. However, on page 4 the Examiner indicated claims 5 and 6 were rejected, but no reason was given in the ensuing comments. As such, it is believed that this indication was an error, and therefore, claims 5 and 6 are believed to be allowable.

Claims 1, 2, 13, and 14 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Jap. Patent No. 10-229423 to Akinori et al. in view of U.S. Pat. No. 5,343,502 to Sato.

Independent claim 1, as amended, recites, *inter alia*:

“...a detection circuit for detecting **a direction and amount of said timing error** based on difference of said detected plurality of amplitudes....” (Emphasis Added)

Applicants submit that the combination of Akinori and Sato as applied by the Examiner does not disclose the above-identified features of claim 1. Therefore, independent claim 1 is believed to be distinguishable from the applied combination of Akinori and Sato.

For reasons similar to those described above with regard to independent claim 1, independent claim 13 is also believed to be distinguishable from the applied combination of Akinori and Sato.

Furthermore, applicants submit that claims 2 and 14 depend from one of the amended independent claims 1 and 13 and are therefore distinguishable from the applied combination of Akinori and Sato for at least the above-identified reason.

Applicants therefore respectfully request that the rejection of claims 1, 2, 13, and 14 under 35 U.S.C. §103(a) be withdrawn.

Claims 7, 8, 19, and 20 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Applicant Admitted Prior Art (AAPA) in view of Jap. Patent No. 10-229423 to Akinori et al. in further view of U.S. Pat. No. 5,343,502 to Sato and in further view of U.S. Pat. No. 5,235,622 to Yoshida.

Independent claim 7, as amended, recites, *inter alia*:

“...a detection circuit for **detecting direction and amount of said timing error** based on difference of said detected plurality of amplitudes....” (Emphasis Added)

Applicants submit that the combination of AAPA, Akinori, Sato, and Yoshida as applied by the Examiner does not disclose the above-identified features of claim 7. Therefore, independent claim 7 is believed to be distinguishable from the applied combination of AAPA, Akinori, Sato, and Yoshida.

For reasons similar to those described above with regard to independent claim 7, independent claim 19 is also believed to be distinguishable from the applied combination of AAPA, Akinori, Sato, and Yoshida.

Furthermore, applicants submit that claims 8 and 20 depend from one of the amended independent claims 7 and 19 and are therefore distinguishable from the applied combination of AAPA, Akinori, Sato, and Yoshida for at least the above-identified reason.

Applicants therefore respectfully request that the rejection of claims 7, 8, 19, and 20 under 35 U.S.C. §103(a) be withdrawn.

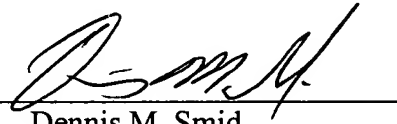
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion or portions of the reference or references providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed and not paid herein, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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By

A handwritten signature in black ink, appearing to read "D. M. Smid", is written over a horizontal line.

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